

Message Text

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ACTION EUR-08

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TO AMEMBASSY BONN
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AMEMBASSY LONDON
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C O N F I D E N T I A L SECTION 1 OF 2 USBERLIN 0996

LIMDIS

E.O.11652: GDS
TAGS: PORS, PGOV, BQG, AKB
SUBJECT: PRESENCE OF BGS IN BERLIN

REF: BONN 6162

BEGIN SUMMARY. MISSION APPRECIATES THE FULL REPORT OF
TRIPARTITE CONSIDERATION OF THIS PROBLEM IN BONN. WE
WOULD LIKE TO ADD OUR GENERAL COMMENTS ON THE DISCUSSION.
OUR VIEWS ON THE QUESTION OF A LEGAL STUDY ARE BEING SENT
SEPTEL. END SUMMARY.

1. A CRUCIAL CONSIDERATION IN CONTINGENCY THINKING HERE
IS THAT THE POSSIBILITY OF IMMEDIATE ACTION IS PRESERVED.
WE TOO FEEL THAT POSSIBLE USE OF THE GSG-9 SHOULD NOT BE
FORECLOSED. COMMON SENSE WOULD DICTATE THAT IN A FAST-
BREAKING TERRORIST EMERGENCY THE SECTOR COMMANDANT SHOULD
HAVE AS MANY OPTIONS AS POSSIBLE AT HIS DISPOSAL. THERE
SEEMS LITTLE REAL DISTINCTION WHEN ALL IS SAID AND DONE
BETWEEN BRINGING IN BGS RADIO EXPERTS AND A GSG-9 UNIT.
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UNLESS BROUGHT IN SOLELY AS OBSERVERS, THE PERSONNEL IN
EITHER CASE WOULD BE ACTIVE PARTICIPANTS IN AN ANTI-
TERRORIST OPERATION. IN ANY CASE THEY WOULD BE IN BERLIN
UNDER THE AUTHORITY OF THE APPROPRIATE SECTOR COMMANDANT,
WHO WOULD BE EXERCISING HIS RESPONSIBILITY TO REINFORCE
THE BERLIN-BASED POLICE FORCES ON AN URGENT BASIS TO MEET
A CLEARLY DEFINED EMERGENCY SITUATION.

2. OUR HOPE IS THAT AS A PRACTICAL MATTER VARIATIONS IN ALLIED THINKING WOULD NOT STAND IN THE WAY OF EFFECTIVE ACTION BEING QUICKLY TAKEN IN THE EVENT OF A HIJACKING TO BERLIN, GIVEN THE LIKELIHOOD THAT THE FRG WOULD WEIGH IN AT A HIGH LEVEL. (WE WILL BE INTERESTED IN LEARNING WHETHER PARIS AGREES WITH THE FRENCH IN BONN AND BERLIN THAT THE POSSIBILITY OF GSG-9 USE NOT BE EXCLUDED IF THE GERMANS SHOULD INSIST AT THE TIME THAT ONLY THIS UNIT CAN DO THE JOB.) WE FIND MUCH OF THE FCO APPROACH ACCEPTABLE. OUR MAJOR RESERVATIONS CENTER ON (A) THE DISTINCTION IT ATTEMPTS TO DRAW BETWEEN SMALLER AND LARGER NUMBERS OF BGS PERSONNEL; (B) THE REQUIREMENT FOR SOVIET CONSENT; AND (C) THE HOPE THAT EVEN SMALL BGS INVOLVEMENT COULD PASS UNNOTICED.

3. PARA 7.D OF REFTEL DESCRIBES THE BRITISH CONCEPT THAT THE IMPORTATION OF SMALL NUMBERS OF BGS EXPERTS INTO BERLIN MIGHT BE POSSIBLE UNDER THE CONDITION THAT THE ALLIES TURN A BLIND EYE TO SUCH DEPLOYMENT AND AVOID DIRECTLY SOLICITING IT. IT IS SUGGESTED THAT ANY INVITATION SHOULD BE CAMOUFLAGED BY OMITTING REFERENCE TO THE BGS. PARA 7.E CONTINUES IN THIS VEIN BY POSITING THAT THERE MUST BE NO OPEN ADMISSION OF THE FACT THAT BGS EXPERTS ARE ON THE WAY.

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4. WE DOUBT VERY STRONGLY WHETHER IT WOULD BE A REALISTIC EXPECTATION THAT THIS WOULD NOT BECOME KNOWN. ALL OF OUR CONTINGENCY PLANS CALL FOR INCLUSION OF HIGH-RANKING SENAT AND POLICE REPRESENTATIVES BOTH IN THE FORWARD COMMAND POST AT THE SCENE (AIRPORT) AND IN THE US EMERGENCY OPERATIONS CENTER. IN OUR CPX PRACTICES THIS ON-THE-SPOT GERMAN ADVICE HAS OFTEN PLAYED A DIRECT ROLE IN OUR DISCUSSIONS. THE PRESENCE AND PARTICIPATION OF BGS PERSONNEL DURING AN ACTUAL ANTI-HIJACKING OPERATION WOULD BE QUITE APPARENT TO MANY OBSERVERS AND WE SEE NEITHER ANY REALISTIC HOPE OF COVERING THIS FACT UP NOR MUCH TO BE GAINED BY TRYING. AT BEST WE WOULD LOOK UNIFORMED AND INCAPABLE OF CONTROLLING THE SITUATION IN THE WESTERN SECTORS. AT WORST THE ALLIES WOULD LOOK AS IF THEY WERE TRYING TO HIDE SOMETHING THEY THEMSELVES EVIDENTLY FELT NEEDED TO BE HIDDEN, AND THEREFORE PROBABLY ILLEGAL. OUR PREFERENCE IN THE EVENT THAT BGS DEPLOYMENT HERE WERE NECESSARY WOULD BE TO TREAT THE MATTER AS MUCH AS POSSIBLE AS A STRAIGHTFORWARD DECISION BY THE SECTOR COMMANDANT, TAKEN UNDER HIS OCCUPATIONAL AUTHORITY, TO AUGMENT TEMPORARILY THE FORCES AVAILABLE TO HIM TO DEAL WITH AN EMERGENCY.

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5. WE TOO FEEL THAT ASKING SOVIET CONCURRENCE IN ADVANCE FOR DEPLOYMENT OF BGS PERSONNEL UNDER THESE CIRCUMSTANCES WOULD BE POLITICALLY UNWISE. TO ASK THEIR VIEWS WOULD IN EFFECT OFFER THEM A FURTHER VOICE IN WESTERN SECTORS MATTERS--STRENGTHENING THEIR POSITION THAT THEY ARE THE FOURTH OCCUPYING POWER OVER "WESTBERLIN" AND CONFIRMING THE QUALITATIVE DISTINCTION BETWEEN THE STATUS OF WSB AND THE SOVIET SECTOR. IT IS OUR GUESS THAT THE USSR, FACED WITH A HOBSON'S CHOICE BETWEEN REFUSING CONCURRENCE FOR ANTI-HIJACKING OPERATIONS AND PERMITTING WHAT IT WOULD REGARD AS AN ILLEGAL ACT, WOULD PROBABLY BE IMPELLED TO REFUSE PERMISSION. ALL IN ALL, A PRO FORMA EXCHANGE OF PROTEST AND RESPONSE AFTER THE FACT WOULD SEEM EASIER FOR BOTH SIDES. (THE SOVIETS WOULD, OF COURSE, NEED TO BE KEPT INFORMED DURING THE COURSE OF A HIJACKING OR OTHER SERIOUS TERRORIST EPISODE OF DEVELOPMENTS RELEVANT TO THE EASTERN SECTOR.)

6. THE MISSION CONTINUES TO BELIEVE THAT, EXCEPT FOR RADIO TRACING CAPABILITY, BERLIN PROBABLY HAS SUFFICIENT
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ASSETS TO HANDLE MOST TERRORIST EMERGENCIES. NEVERTHELESS, WE WOULD LIKE TO REGISTER THE VIEW THAT IN ANY TERRORIST-HOSTAGE SITUATION INVOLVING LARGE NUMBERS OF INNOCENT PEOPLE, EITHER IN A PARKED AIRCRAFT OR IN A BUILDING, THE WELFARE OF THE HOSTAGES WOULD HAVE TO TAKE URGENT PRECEDENCE OVER OSTENSIBLY LEGAL BUT ACTUALLY PRESENTATIONAL NICETIES AND MOST OTHER CONSIDERATIONS. UNDER SUCH CIRCUMSTANCES THE TEMPTATION, NECESSITY OR RESPONSIBILITY TO CALL IN EXPERTISE FROM THE SUCCESSFUL GSG-9 WOULD BE ALMOST IRRESISTABLE. (THE US COMMAND RAN A CPX FOR A HYPOTHETICAL AIRPLANE HIJACKING TO TEMPELHOF IN FEBRUARY, THE SECOND SUCH EXERCISE IN TWO YEARS. SUCH EXERCISES ARE PARTICULARLY USEFUL PRECISELY BECAUSE THEY SO STARKLY ILLUSTRATE THE LIMITED LEVERAGE AVAILABLE TO LEGITIMATE AUTHORITIES. IN FACT, AT A VERY EARLY STAGE IN THE MOST RECENT EXERCISE IT WAS DECIDED TO CALL FOR THE IMMEDIATE DESPATCH OF EXPERT ADVISERS FROM THE GSG-9.)

7. WE BELIEVE THAT THE OVERALL REQUIREMENT IN CONSIDERATION OF THIS MATTER IS THAT THE ALLIES ACHIEVE ADVANCE AGREEMENT IN PRINCIPLE SO THAT ANY NEEDED GERMAN EXPERTISE CAN BE IMMEDIATELY DEPLOYED. IN THIS RESPECT WE ARE NOT SO SURE THAT THE BRITISH SOLUTION IS IN FACT WORKABLE UNDER THE TWO PARTICULAR TYPES OF MASS HOSTAGE-TAKING REFERRED TO ABOVE. IN THE CASE OF THE KIDNAPPING OF AN INDIVIDUAL, AS IN THAT OF LORENZ, THERE IS INDEED A TENDENCY FOR THE MATTER TO SPREAD ITSELF OVER A SUFFICIENT NUMBER OF DAYS SO THAT SOME DICKERING WITH THE GERMANS AS TO TERMS MIGHT BE TOLERABLE. THE PRESSURE OF EVENTS, HOWEVER, IN AN AIRCRAFT HIJACKING WOULD BE SO SUDDEN AND DANGEROUS THAT THE SITUATION MIGHT REQUIRE DECISIONS AND ACTIONS WITHIN A TIMEFRAME OF A FEW HOURS. AS WE SAID IN USBER 307, COMMON SENSE CALLS FOR PERMITTING THE SECTOR COMMANDANT TO HAVE AS MANY OPTIONS AS POSSIBLE AT THIS DISPOSAL.
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WHAT IS IMPORTANT AT SUCH TIMES IS THAT THE COMMANDANT'S REQUEST FOR ASSISTANCE, BASED ON RECOMMENDATIONS AT THE TIME, NOT BE DELAYED BY INTERMINABLE DISCUSSIONS ON PRESENTATIONAL PROPRIETIES COUCHED IN LEGAL GARB.

8. USCOB CONCURS. GEORGE

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